

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. 08-248**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY, THE UTAH DEPARTMENT OF TRANSPORTATION AND ROCKY MOUNTAIN POWER FOR THE PURPOSE OF BURYING OVERHEAD POWER FACILITIES ON 3500 SOUTH.**

**WHEREAS**, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, entitled “Interlocal Cooperation Act” provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency is authorized by law to perform; and

**WHEREAS**, this Resolution replaces an agreement that was previously approved under Resolution No. 08-39, which was never executed by the other parties; and

**WHEREAS**, the Utah Department of Transportation (“UDOT”) is in the process of constructing a highway project identified as SP-0171(18)6; 3500 South, Bangerter Highway to 2700 West, Phase II, which includes the relocation of power facilities owned by Rocky Mountain Power; and

**WHEREAS**, under Utah State law, UDOT and Rocky Mountain Power each share 50% of the cost of relocating power facilities located on State highways whenever a widening project necessitates the relocation of these facilities; and

**WHEREAS**, the City desires to include a betterment with said work consisting of placing the existing overhead power facilities underground; and

**WHEREAS**, UDOT and Rocky Mountain Power are agreeable to said betterment providing the City pay additional costs of placing the facilities underground; and

**WHEREAS**, an agreement entitled “50% Reimbursement Agreement with West Valley City Betterment” (“Agreement”) has been prepared for execution by and between the City, UDOT and Rocky Mountain. This Agreement, which is attached hereto, sets forth the rights, duties, and obligations of each of the parties with respect thereto; and

**WHEREAS**, the City Council of West Valley City, does hereby determine that it is in the best interest of the health, safety, and welfare of the citizens of West Valley City to authorize the execution of the above-referenced Agreement; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of West Valley City, Utah, as follows:

1. That the Agreement is hereby approved and that the Mayor is hereby authorized to execute said Agreement for and in behalf of West Valley City.
2. That the City is hereby authorized to spend an amount not to exceed \$450,901 for all additional costs of placing power facilities underground as outlined in the Agreement.

**PASSED, APPROVED and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER